

Marc Wolstenholme  
5 Shetland Close  
Coventry, England CV5 7LS  
Telephone: 044 7827964404  
Email: [marc@mwwolf-fiction.co.uk](mailto:marc@mwwolf-fiction.co.uk)  
Plaintiff in Pro Per

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARC WOLSTENHOLME,  
Plaintiff,  
vs.  
RIOT GAMES, INC.,  
Defendant

CASE NO. 2:25-CV-00053-FMO-BFM HON.

*Hon. Fernando M. Olguin*

DECLARATION OF MARC  
WOLSTENHOLME

PLAINTIFF'S MOTION TO LIFT  
DISCOVERY STAY, COMPEL  
DISCOVERY RESPONSES, AND APPOINT  
SUPERVISION OVER DEFENDANT'S  
DISCOVERY CONDUCT

Dated this: April 25, 2025

M. WOLSTENHOLME.  
[MARC WOLSTENHOLME]

1                   **II. INTRODUCTION**

2                   Plaintiff Marc Wolstenholme respectfully moves the Court to lift any implied or  
3 express stay on discovery arising from the now-failed settlement conference and to compel Riot  
4 Games, Inc. (“Riot”) to immediately comply with its discovery obligations under the Federal  
5 Rules of Civil Procedure.  
6

7  
8                   Plaintiff also respectfully requests that all future discovery matters be supervised  
9 by the District Judge directly or a Court-Appointed Special Master, given the ongoing pattern of  
10 bad faith, delay, intimidation, and procedural abuse by Riot and its counsel.  
11

12  
13                   **II. BACKGROUND**

14                   The Plaintiff served proper and targeted discovery requests on March 14, 2025  
15 (Requests for Production, Interrogatories, and Requests for Admission).  
16

17  
18                   Riot responded on April 14, 2025 with blanket objections, evasions, and  
19 categorical denials, refusing to produce any documents or substantive information.  
20

21                   Plaintiff timely sent a Local Rule 37-1 discovery dispute letter on April 17, 2025,  
22 requesting a meet and confer and proposing to proceed efficiently.  
23

1 The Settlement Judge from the Court suggested tabling discovery until after the  
2 settlement conference, over Plaintiff's objections and documented fears that Riot would misuse  
3 the settlement process to delay and abuse proceedings and that he would only proceed with the  
4 settlement conference with protection and if Riot came in the spirit of the conference and not to  
5 abuse it. He wrote, "*Good Morning (Evening for me) your Honor. I hope you have had my*  
6 *concerns over the conference.*"

8 *But yes, Agreed, if you feel that a settlement is still achievable."*

10 Plaintiff's fears were realized: the settlement conference on April 24, 2025, was  
11 dominated by procedural attacks on Plaintiff's case and health, with no meaningful settlement  
12 discussions, no insurer or decisionmaker participation from Riot, and no resolution of discovery  
13 issues. Towards the end of the conference in the breakout Room, the Plaintiff will describe the  
14 pressure to drop the cases as vicious with direct threats of emotional-psychological ruin, threats  
15 of retaliation and Riot coming after me hard with all they have got, intimidation with financial  
16 hardship, then I was directly told that their bullying would work eventually and they will get the  
17 case dismissed on some procedural point or other.

19 This is a court appointed official acknowledging Riot's bullying tactics, and  
20 reinforcing them, in a closed setting in a vicious manner. Moreover, I had already expressed my  
21 fear of this and had to sit in a pre-settlement conference hearing when the same official told me  
22 that this would not happen. She stated, "*things are different in America, the jury is not your*  
23 *twelve cousins.*"

1 Riot continues to leverage endless procedural motions (including a motion to  
2 bifurcate, a motion to strike, and a motion to require Plaintiff to post bond) to delay discovery  
3 and avoid accountability after we have already moved on from these points.  
4

5 Every time Plaintiff has attempted to meaningfully progress the case — whether  
6 by seeking discovery, requesting meet and confer discussions, or raising legitimate concerns —  
7 Plaintiff has been met with excuses to wait, procedural barriers, or a barrage of harassing  
8 motions.  
9

10 Riot then turns around and accuses Plaintiff of “clogging the docket,” when  
11 Plaintiff is merely reacting to their misuse of court process and pattern of procedural abuse.  
12

13 Plaintiff respectfully implores the Court to review the long and well-documented  
14 history of Plaintiff’s expressed concerns, warnings, and good faith efforts, and to recognize that  
15 no protections have been put in place. Each time Plaintiff raises concerns, they are ignored, only  
16 for those exact concerns to manifest with devastating effect, followed by another wave of  
17 procedural distractions and attacks. This is unethical bullying.  
18

19  
20 In the more than 3.5 years since the initial infringement concerns were raised,  
21 Riot has produced exactly one piece of so-called “evidence”: a manipulated, misleading  
22 screenshot from a public-facing submission portal, obtained via the Wayback Machine. This  
23 screenshot — of a portal soliciting unsolicited content — was produced during a confidential  
24  
25

1 settlement conference, without advance notice, without proper foundation, and was immediately  
2 accepted by the Magistrate Judge without allowing Plaintiff a fair opportunity to respond.  
3

4  
5 Despite Plaintiff demonstrating during the conference that the portal field is an  
6 expandable and manipulatable interface, that Riot controls its servers, and that Wayback  
7 Machine images are limited to the 10th of each month and cannot fairly represent submission  
8 flows, Plaintiff's objections were summarily dismissed.  
9

10  
11 Plaintiff respectfully submits that being ambushed with contested and misleading  
12 materials during a confidential settlement conference — then being pressured to litigate  
13 substantive issues on the spot without preparation, while also grappling with the disadvantages of  
14 a pro se status and documented disabilities — fundamentally violates principles of fairness, due  
15 process, and ethical judicial conduct.  
16

17  
18 Plaintiff may not be formally educated in American law, but the violation he has  
19 experienced is palpable and undeniable. Even setting aside his disabilities and pro se status, no  
20 litigant should be subjected to such tactics in a federal court setting, particularly during a closed  
21 settlement proceeding.  
22

23 For the love of God, please read all of my documented concerns and see that no  
24 protections are being put in place and these concerns are being allowed to happen, then after a  
25 flurry of detractions follow. This case is the tip of a very dark iceberg of concerns.  
26

1                   **III. LEGAL STANDARD**

2                   Under Rule 26(d) and Rule 37 of the Federal Rules of Civil Procedure, parties are  
3 entitled to timely discovery to prepare their cases, and courts have broad authority to manage  
4 discovery to prevent abuse.  
5

6  
7                   Good cause exists to lift any procedural stays or delays and order immediate  
8 compliance where one party weaponizes procedure to deny substantive rights.  
9

10                  The Plaintiff has tried to indicate discovery a number of times and tried to issue a  
11 meet and confer which have always been slapped into the background by Riot's procedural  
12 manipulation and abuse tactics.  
13  
14

15                   **IV. ARGUMENT**

16                   A. Riot Has Acted in Bad Faith to Frustrate Discovery

17  
18                  Riot's refusal to engage in good faith discovery, their insistence on procedural  
19 gamesmanship, and their abuse of the settlement conference to delay proceedings demonstrate  
20 bad faith sufficient to warrant judicial intervention.  
21

22                   B. The Delay Has Caused Significant Prejudice to Plaintiff

23  
24                  As a pro se disabled litigant, Plaintiff faces extraordinary disadvantage if forced  
25 to litigate against a large corporate defendant while being systematically denied basic discovery.  
26

1  
2 Every delay increases Plaintiff's emotional and financial harm and directly  
3 undermines Plaintiff's ability to present his claims on the merits.  
4

5 The Settlement conference Judge, Riot's Legal Team and even the wider radical  
6 Riot community have all commented on Riot's tactics of abusing until they win, and yet they are  
7 still engaging in these behaviors, and even accelerating them with flurries of motions to dismiss,  
8 which is clearly designed to cause emotional harm and to allow them to not have to be  
9 accountable for the prolific IP theft which is demonstrable to have been their business practice  
10 from their inception with the long standing allegations of swiping of code and sabotage of US  
11 businesses, which may have attracted black budgets. How is this not domestic terrorism?  
12  
13

#### 14 C. Court Supervision or Special Master Is Warranted

15 Given Riot's demonstrated behavior, further unsupervised discovery proceedings  
16 will not be productive. Plaintiff respectfully requests that future discovery either be directly  
17 supervised by Judge Olguin or referred to a Special Master with authority to enforce deadlines  
18 and compel compliance.  
19

20 The Plaintiff does not feel safe to enter any closed proceedings nor proceedings  
21 any with the Magistrate Judge. Riot have seemed desperate to get the case in front of a  
22 Magistrate Judge, even trying to suggest it was the Plaintiff's idea in the Joint 26 (f) report  
23 conference, then editing the joint 26 (f) report server times after the Plaintiff strongly stated he  
24 will not agree to a Magistrate Judge.  
25





These behaviors are founded in the unethical practices deeply entrenched at Riot Games. Immediate judicial intervention is required to prevent further prejudice.

### Declaration of Authenticity:

I, Marc Wolstenholme, declare under penalty of perjury that the statements made  
are true and accurate

Executed on April 06, 2025, in Coventry, England.

Respectfully submitted,

Signature: M. WOLSTENHOLME.

Marc Wolstenholme

Plaintiff in Pro Per

## 5 Shetland Close

Coventry, England CV5 7LS

[marc@mwwolf-fiction.co.uk](mailto:marc@mwwolf-fiction.co.uk)

**Exhibit A- Email thread of Concerns.**

LOCAL RULE 37-1 DISCOVERY DISPUTE LETTER

External

Inbox

Marc Wolstenholme <marc@mwwolf-fiction.co.uk>

Thu 17 Apr, 12:00 (9 days ago)

to BFM\_Chambers@cacd.uscourts.gov, Josh, Aaron, dan.chang

Date: April 17, 2025

To: Aaron Moss, Joshua Geller

Cc: Courtroom Deputy, Judge Brianna Fuller Mircheff

From: Marc Wolstenholme

Re: Local Rule 37-1 Letter – Discovery Disputes re RFPs, Interrogatories, and

RFAs

Case: Wolstenholme v. Riot Games, Inc., 2:25-cv-00053-FMO-BFM

Pursuant to Local Rule 37-1, this letter outlines Plaintiff's discovery disputes and initiates the required meet and confer process. The objections and non-responses provided in Defendant Riot Games, Inc.'s discovery responses (served April 14, 2025) fail to comply with Federal Rules of Civil Procedure 33, 34, and 36 and demonstrate a continued pattern of bad faith and abuse. Below is a summary of the disputes and relief to be sought by motion.

I. Requests for Production (RFPs)

10

PLAINTIFF'S MOTION TO LIFT DISCOVERY STAY, COMPEL DISCOVERY RESPONSES, AND APPOINT  
SUPERVISION OVER DEFENDANT'S DISCOVERY CONDUCT

Despite properly served requests on March 14, 2025, Riot has:

- Provided no documents;
- Issued blanket objections;
- Reserved the right to 'supplement' but produced nothing.

Examples in Dispute:

- RFP (a): All Arcane development timelines and concept drafts (objection: overbroad and burdensome)
- RFP (b): Access logs to Bloodborg-related submissions via Riot Forge and to CBG (denied with no documentation)
- RFP (e): References to “Bloodborg,” “M.W. Wolf,” or Plaintiff’s name (Riot refuses to search)

Plaintiff’s Position: These requests are directly relevant to proving access, development sequence, and similarity. Riot must be compelled to produce responsive documents or confirm, under oath, that none exist.

## II. Interrogatories

Plaintiff served five Interrogatories, each targeting key facts such as access pathways (CBG & UTA), development teams, and timeline data.

Deficiencies Identified:

- Riot provided no substantive answers, only objections;

1 - Denies knowledge without supplying names or facts;

2 - Objects to Plaintiff's characterization of submitted works while refusing to  
3 identify reviewers of portal submissions.

4 Relief Sought: Plaintiff will move to compel complete answers, including named  
5 individuals with relevant knowledge, as required by Rule 33.  
6

7  
8 III. Requests for Admission (RFAs)

9 Riot denied all RFAs, including factual questions not reasonably in dispute.  
10

11 Examples:

12 - RFA No. 6: Whether Arcane scripts were modified after April 2020 (denied as  
13 'too vague')  
14

15 - RFA No. 5: Substantial similarity between Arcane and Bloodborg (denied in  
16 full)  
17

18 Issue: These categorical denials contradict public records and suggest bad faith  
19 refusal to narrow or clarify issues for trial.  
20

21 IV. Plaintiff's Requested Relief

22 Plaintiff intends to file a motion seeking the following:

23 1. An order compelling complete responses to the March 14, 2025 RFPs,  
24 Interrogatories, and RFAs;  
25

2. A court-supervised document production deadline within 10 days;
3. Preservation and production of internal metadata, Slack communications, and submission logs;
4. Appointment of a Special Master or neutral forensic examiner;
5. Sanctions and cost-shifting under Rule 37(a)(5) for bad faith refusal to participate.

#### V. Meet and Confer Scheduling

Per Riot's proposal, Plaintiff is available to meet and confer via phone or Zoom on Tuesday, April 22 at 3:00 PM GMT. However, due to time zone differences and the need to document all communications, Plaintiff prefers to continue the meet and confer in writing via email. Please confirm your agreement or provide alternatives.

#### VI. Litigation Conduct and Procedural Concerns

Plaintiff also places on record his concern that Defendant's refusal to produce documents, their history of procedural manipulation, and pattern of threatening legal rhetoric constitute more than isolated behaviour. Plaintiff has documented numerous examples of avoidance, including bad faith settlement communications, non-responses to the SAC, noncompliance with settlement discussions and a near-complete failure to engage with discovery. This pattern has created emotional distress and procedural imbalance that the Court should consider in determining the scope of relief and sanctions.

1  
2 The Court should also consider if it is safe for the Plaintiff to directly engage with  
3 such abuse and if state interventions are needed to protect the Plaintiff and public from Riot's  
4 widespread targeting of vulnerable people and damage to the public.  
5

6  
7 Respectfully,

8 Marc Wolstenholme

9 Pro Se Plaintiff

10 marc@mwwolf-fiction.co.uk

11 +44 7827 96440  
12

13  
14 BFM Chambers

15 Thu 17 Apr, 17:30 (9 days ago)

16 to me, Josh, Aaron, dan.chang@riotgames.com

17  
18 Good morning,  
19

20 I have received your emails about outstanding items of discovery. Might I suggest  
21 that we table this discussion until after next week's settlement conference? If the case doesn't  
22 settle, we can end that day with a brief discussion about how to go forward on discovery.  
23

24  
25 From: Marc Wolstenholme <marc@mwwolf-fiction.co.uk>  
26

1 Sent: Thursday, April 17, 2025 4:01 AM

2 To: BFM Chambers <BFM\_Chambers@cacd.uscourts.gov>; Geller, Josh  
3 <Josh.Geller@msk.com>; Moss, Aaron <ajm@msk.com>; dan.chang@riotgames.com  
4

5 Subject: LOCAL RULE 37-1 DISCOVERY DISPUTE LETTER  
6  
7

8 Geller, Josh

9 Thu 17 Apr, 17:36 (9 days ago)

10 to BFM, me, Aaron  
11

12 Thank you, your Honor. Riot agrees and believes that is a reasonable approach.  
13

14 Sincerely,

15 Josh Geller

16 Josh M. Geller | Partner

17 T: 310.312.3166 | josh.geller@msk.com  
18

19 Mitchell Silberberg & Knupp LLP | www.msk.com  
20

21 2049 Century Park East, 18th Floor, Los Angeles, CA 90067  
22  
23

24 Marc Wolstenholme <marc@mwwolf-fiction.co.uk>

25 Thu 17 Apr, 17:21 (9 days ago)  
26

1 to Josh, BFM, Aaron

2 Good Morning (Evening for me) your Honor. I hope you have had my concerns  
3 over the conference.

4 But yes, Agreed, if you feel that a settlement is still achievable.

5 Thank you

6 Marc Wolstenholme  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26